

U. S. JUDGES BLAME CRIME ON DRY LAWS

Prosecutors Also Unite in
Calling Prohibition Its
Chief Cause.

FACTS TO DAUGHERTY

Attorney-General Sought
Reason for Present Court
Congestion.

18 NEW JUDGES ASKED

They Will Not Bring Permanent
Cure but Will Help
Clear Dockets.

Special Despatch to The New York Herald
New York, Oct. 4.

That prohibition is one of the chief causes of crime in the United States to-day and is mainly responsible for the jam of pending cases in Federal courts, is the almost unanimous verdict of United States Judges and District Attorneys, it was announced to-night at the Department of Justice.

The opinion of the judiciary was obtained in a questionnaire sent to all Judges and prosecutors by a special court docket committee named by Attorney-General Daugherty to find the causes for present court congestion, and recommend a remedy. The committee has laid before the Attorney-General its report, urging as imperative the creation of eighteen additional Judges at large.

Attorney-General Daugherty will go before the Senate Judiciary Committee to-morrow morning and ask that Congress act without delay in increasing the judiciary as a means of temporary relief in the present crowded condition of the courts.

The report of the court docket committee, which already has been transmitted to the President, and will be presented to the Senate committee to-morrow by the Attorney-General, in support of his plea emphasizes the fact that prohibition has brought a crush of business in the courts along with other litigation, far beyond the physical capacity of the courts.

The Attorney-General in discussing the committee's recommendations before the Senate committee will assert that the

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creation of eighteen new judges at large will not effect a permanent cure of court congestion, and that extra resident judges must be added in addition, in New York, Chicago and other cities, as is contemplated by pending legislation providing the redistricting of certain districts, embracing the larger and more populous centres.

Investigation has disclosed to the Attorney-General that there are 20,000 cases pending in the Federal court in the Southern District of New York. A large percentage of the cases are violations, under the Volstead law. There also are many still undisposed of under the tax, revenue and war time statutes. In New York alone, it was said, there are 7,036 cases under the selective service act alone. A large proportion of cases in this group may not be brought to trial unless the congestion is relieved, officials declared. The Admiralty, criminal and other dockets are two years behind.

The Attorney-General's record to be placed before the Senate committee shows that since 1912 there has been an increase of 800 per cent. in the criminal business of the Federal courts. More than 40 per cent. of the cases now pending throughout the United States are criminal cases, and prohibition cases furnish the largest single class in this group.

Suggestions Are Made.

The full report of the court docket committee, consisting of Judge John B. Salter, Columbus, Ohio; Judge John C. Pollock, Kansas City; Judge W. L. Grubb, Montgomery, Ala.; W. H. Hayward, District Attorney in New York; and Charles E. Clynne, District Attorney in Chicago, includes the following recommendations and suggestions:

Existing conditions can only be relieved by increasing the number of District Judges.

We believe the number of bills now pending in Congress for the creation of new districts and new judgeships will not alone give present desired relief.

We believe proper and prompt enforcement of the national prohibition act and other recently enacted statutes giving rise to cases, civil and criminal, can best be accomplished by a law which gives immediate and general relief.

We are confronted with two distinct situations: First, congestion in many districts throughout the country, largely due to violations of the prohibition law; second, increase in

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the civil and criminal business of the Federal courts, due to the growth in population and business in large cities and industrial centres.

It is recommended that a law providing for eighteen new district judges at large, should provide also for their assignment by the Chief Justice of the Supreme Court to any district where they are most needed to relieve congestion.

"The advantage of the creation of judges at large to relieve temporary court congestion is that they may be mobilized through designation by the Chief Justice, at the suggestion of the Attorney-General and senior circuit judges at points most needed and so mobilized as to render most efficient service," the report says.

"Although the creation of judges at large will be an expedient adopted to existing temporary excess of business, it may be so demonstrated its worth as to justify a permanent continuance of such judges."

"We are firmly convinced that it will require more judges than we have suggested to relieve properly the congestion existing. If overburdened dockets are to be cleared and speedy administration of justice is to be assured and maintained."

"We feel that the remedy for the permanent excess in business in the courts is the treatment of each district's exigency by Congress enacting a particular law to cover such particular exigency."

Present records show there are more than 140,000 cases pending in Federal courts of the United States. The Attorney-General's committee estimated that probably one-third of that number are criminal cases.

The Attorney-General was informed that many of the cases now pending will not be brought to trial because of death or removal of witnesses. Delay in trials has brought other complications which may hamper the Government unless the court relief recommended is granted by Congress, in the view of the Department of Justice.

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